

By-Laws of the Ontario Public Service Employees Union Northern Ontario School of Medicine Local 677

ARTICLE 1 - NAME

1.1 This Union Local shall be known as THE ONTARIO PUBLIC SERVICE EMPLOYEES UNION NORTHERN ONTARIO SCHOOL OF MEDICINE LOCAL 677 (the 'Union Local')

ARTICLE 2 – OBJECTIVES AND AUTHORITY

2.1 The objectives of the Union Local are:

a) to promote academic freedom and to advance teaching, scholarship, and research at the School of Medicine; to advance intellectual and social development and the betterment of society; to foster a working environment that enables members to be successful in their work lives at the School.

b) to regulate labour relations between the School of Medicine and its employees and to bargain collectively on behalf of its members on all matters pertaining to their relationship with the School of Medicine. In this regard the Local affirms the importance of collective bargaining in advancing the standards of the profession, protecting academic freedom and collegial governance, advancing policies and practices that secure equity in employment, promoting the interests of full-time, part-time, and contract academic and general staff, as well as contributing to the improvement of the quality of post-secondary education in Canada.

c) to provide a common field for mutual exchange of ideas between the Union Local and the broader Medical School and University communities, as well as the general public;

d) to pursue the constitutional objectives of the Ontario Public Service Employees Union;

e) to promote the interests of the Ontario Public Service Employees Union, the Union Local, the Northern Ontario School of Medicine Faculty and Staff Association (to which the Union Local is associated), the Canadian Association of University Teachers (CAUT), including its affiliates at Lakehead and Laurentian Universities, and the CAUT Defence Fund.

2.2 As per the OPSEU Constitution the Local shall have autonomy to the extent its powers are not otherwise circumscribed by the OPSEU Constitution or by Ontario statutes. Without limiting the generality of the foregoing the Local may, among other activities, negotiate local collective agreements, process grievances, establish joint labour-management committees on local working conditions, exercise control over expenditure of its revenues, engage in social and community activities, and adopt its own bylaws.

2.3 The transfer agreement between the Northern Ontario

School of Medicine Faculty Association and OPSEU dated April 2008 contains terms that bind OPSEU and the Union Local as well as the Northern Ontario School of Medicine Faculty and Staff Association (to which the Local is associated as per the terms of transfer).

ARTICLE 3 - AFFILIATIONS

3.1 All members of the Union Local shall be members of the Ontario Public Service Employees Union, Canadian Association of University Teachers (CAUT), the Northern Ontario School of Medicine Faculty and Staff Association, and the CAUT Defence Fund. The Union Local shall be affiliated with the Sudbury and District Labour Council and the Thunder Bay and District Labour Council with members in Sudbury being members of the Sudbury Council and members in Thunder Bay being members of the Thunder Bay Council. The Local shall set a budget that facilitates full participation in every organization to which it is affiliated as per Article 15.4.

ARTICLE 4 - MEMBERSHIP AND DUES

4.1 Full Membership in the Union and its Local is open to all members of the academic and general staff of the Northern Ontario School of Medicine, with the exception of those persons who are deemed to be excluded by virtue of Section 1(3) a and b of the *Ontario Labour Relations Act*.

4.2 All members of the Union and its Local are full members save and except for Retired members under Article 4.7 of the Bylaws,

4.3 Membership in the Union and its Local shall be established by the payment of dues by those eligible and the completion and acceptance by the Union of an OPSEU Membership application.

4.4 a) OPSEU Union dues will be determined by the members in a Union convention.

b) Union Local dues will be determined by a duly constituted Union Local meeting. Proposed changes to the level of Union Local dues are to be made by the Executive, with notice of the proposed change circulated to the members of the Union Local in writing at least 14 days before the meeting. The level of any local union dues must be approved by a two-thirds majority of those voting in each affected bargaining unit.

4.5 Union Membership status in the event of layoff, leave, election to political office, and other eventualities is determined as per the OPSEU Constitution.

4.6. Any member may withdraw from membership upon written notice to the Union and its Local.

4.7 Individuals who upon retirement at the NOSM are members of the Union and its Local shall be eligible for membership as a retired member in the local, as provided in the OPSEU Constitution.

ARTICLE 5 - EXECUTIVE COMMITTEE

5.1 The Executive Committee of the Union Local shall consist of Unit Stewards elected as follows:

From the academic unit, one unit steward from each of the following groups: full-time faculty, curriculum instructional designers/ME database administrators, professional librarians, learner affairs officers, non full time faculty, as well as up to ten unit stewards at large (5 from the west, 5 from the east).

; From the staff unit 2: Up to twenty (20) stewards in total from the Unit with a minimum of five (5) stewards from Region 6 and five (5) stewards from Region 7, as well as ten (10) members at large to be elected.

From among the unit stewards, the members shall elect:

- 1) Local President
- 2) Vice-President West and Vice-President East;
- 3) A Vice President for each Bargaining Unit (who shall be elected from among the unit stewards of the bargaining unit by the members of that bargaining unit)
- 4) Local Secretary,
- 5) Local Treasurer
- 6) Unit Secretary for each Bargaining Unit (who shall be elected from among the unit stewards of the bargaining unit by the members of that bargaining unit)

The Past Local President shall be an ex officio member of the Committee.

5.2 Elections for the Executive Committee shall be held annually in accordance with the procedures detailed by the by-laws below.

5.3. The East and West areas referred to in 5.1. cover the regions of Northeastern and Northwestern Ontario (OPSEU Regions 6 and 7) respectively.

ARTICLE 6 - QUORUM

6.1 A quorum at a Union Local, Bargaining Unit or Executive Committee Meeting shall be as defined in the OPSEU Constitution, Art. 29.8.2

ARTICLE 7 - ANNUAL MEETING

7.1 The Annual Meeting of the Union Local shall be held no later than 60 Days after January 1st in each calendar year.

ARTICLE 8 - REVISION OF BY-LAWS

8.1 Changes in the by-laws of the Union Local will take place at any regular meeting of the Local. Proposed changes must be forwarded to the Secretary in time for circulation to the members of the Union Local at least 14 days before the meeting. By-law changes must be ratified by a two-thirds vote of the membership in each bargaining unit in the Local of those who are present at the meeting. A Local Executive Committee recommendation to the Local Membership for one or more bylaw change(s) requires that a majority of Local Executive Committee Members in each bargaining unit present in a Local Executive Meeting vote in favour of recommending the change(s) to the Local Membership.

ARTICLE 9 - ELECTION OF EXECUTIVE COMMITTEE

9.1 The Executive Committee shall be elected at the February Annual General Meeting. The Executive shall take office immediately after the February Annual General Meeting.

9.2 The Executive Committee shall be elected by ballot. A Nominating Committee appointed by the Executive with

members from each bargaining unit shall suggest a slate of candidates with nominations also being accepted from the floor at the meeting. The nominating committee shall make every reasonable effort to find nominees from within different units in portfolios in the case of multi rep/steward portfolios. The election of Unit Steward at Large Positions shall follow the election of the other Unit Steward positions. To be elected, a member must receive a majority of votes cast, with run-off votes as needed. When only one person runs for a position s/he shall be acclaimed to the position. A person who is nominated for a position must accept the nomination at the meeting either in person, or in writing.

9.3 Only a full member of the Union Local in good standing shall be entitled to vote or to be nominated for office.

9.4 A vacancy in any office, shall be filled in accordance with Art. 29.4.2 of the OPSEU Constitution.

9.5 Only members in the appropriate bargaining unit are eligible to run or vote for the Local Vice President responsible for their unit. Only members of the appropriate group or region are permitted to nominate or hold offices specific to that group or region.

ARTICLE 10 - DUTIES OF EXECUTIVE COMMITTEE

10.1 The Local President shall:

- 1) preside at all meetings of the Union Local and at meetings of the Local Executive Committee save for meetings of bargaining units and their Unit Committees;
- 2) enforce the Union Constitution and the Union Local's By-Laws and be responsible for the smooth and efficient operation of the Union Local;
- 3) be the official spokesperson of the Union Local, unless otherwise designated;
- 4) sign all contracts (save for Collective Agreements) and be one of three co-signer on all cheques with the Secretary-Treasurer and a designated Executive Member. Co-signers shall include at least one Executive member from each bargaining unit ;
- 5) shall be a member of all committees save for unit specific committees..

10.2 The Vice-Presidents West and East Campus shall:

- 1) perform the duties of the Local President in his/her absence. In cases of vacancy, either the Vice-President East Campus or Vice-President West Campus shall succeed to the office of Local President until the election of a new Local President. If the Local President was from the East Campus the Vice President East will succeed until an election is called. If the Local President was from the West Campus the Vice President West shall succeed until an election is called. The election of a new Local President must occur within one calendar month of his or her absence.

10.3 The Local Vice Presidents for each Bargaining Unit shall:

- 1) oversee and conduct any Unit-specific votes including those pertaining to contract or special plan ratifications, and work actions, and;
 - 2) organize and preside at all meetings of their respective Unit;
 - 3) ensure that files are kept for the bargaining unit;
 - 4) chair the Unit Committee;
- In the absence of a Local Vice President for a Bargaining Unit the Unit Recording Secretary shall perform those duties.

10.4 The Local Secretary shall:

- 1) issue notices for general meetings of the Union Local and the Executive Committee;
- 2) cause to be maintained all membership records, documents and correspondence of the Union Local
- 3) keep a record of the minutes of such meetings.

10.5 The Unit Secretary shall:

- 1) issue notices for meetings of the Unit Committee;
- 2) cause to be maintained all files that are Unit specific;
- 3) keep a record of the minutes of Unit general meetings and Unit Committee meetings.
- 4) In the absence of a Local Vice President for a Bargaining Unit the Unit Recording Secretary shall perform those duties
- 5) In the absence of a Unit Secretary the Local Vice President for the Bargaining Unit shall perform those duties.

10.6 The Treasurer shall:

- 1) be responsible for the care and custody of the funds and assets of the Union Local according to the usual practice;
- 2) at each General Meeting of the Union Local present an account of the Union Local's finances;
- 3) maintain books of account and make these available for inspection to the members of the Union Local on request
- 4) Arrange for the annual audit of the Union Local accounts by the two Trustees (one from each Bargaining Unit) elected by the Local's membership.

10.7 Unit Stewards shall inform their members of activities ongoing within their Bargaining Unit and Local 677. This includes inviting Members to join OPSEU, and welcoming new employees to the workplace and the Union. They shall also represent the concerns and suggestions made by members in their portfolio to their Bargaining Unit and Local 677. In addition they shall attend Unit Committee, Unit Membership, Local Executive and Local General Membership meetings, become familiar with the provisions of the Collective Agreement that applies to them, assist and cooperate fully with the Local Health and Safety Committee.

10.8 The Executive Committee shall:

- 1) carry into effect all resolutions of the Union Local (reporting on its activities to the membership), engage in discussions with third parties, including the Employer, with the aim of formulating a proposed course of action to be subject to the approval of the general meeting, authorize expenditure of the monies of the Union Local, request the services of any members of the Union Local or other persons (e.g. legal counsel) to assist in matters where special or technical knowledge is required, appoint or nominate representatives to CAUT, and generally manage the affairs of the Union Local.
- 2) Irrespective of their regular duties each member of the Executive shall assume such other duties as the Local Executive Committee may assign from time to time.

10.9 Executive Committee Expenses and Indemnification; (a) Except for reasonable expenses and release time no remuneration shall be paid to Officers of the Union Local by the Union Local;

(b) Every officer or other person undertaking any action or liability on behalf of the Union Local, either within the scope of his/her office or with the express authority of the Executive shall be indemnified and saved harmless out of the funds of the Union and its Local from and against:

- i) any and all costs, charges, and expenses sustained or incurred in relation to the affairs of the Union and its Local, and;
- ii) any and all costs, charges, damages, and expenses

sustained or incurred with respect to any action, suit, or proceeding brought against her/him for any act or thing done or permitted by him/her in the execution of her/his duties, unless such costs, charges, damages, or expenses are occasioned by her/his own wilful neglect or default.

10.10 Union Local Property and Assets:

The property and assets of the Union Local shall belong to the Union Local; shall not constitute the property of any individual, and no member shall have any claim upon the property and assets of the Union Local on ceasing to be a member or at any time thereafter.

Article 11 – UNITS OF THE LOCAL

11.1 Each bargaining unit of the Local shall be known as a Unit of the Local Union.

11.2 Each unit shall have a unit committee consisting of all stewards and unit stewards (including Local officers) from that unit. The committee shall meet at least once every three months. The unit committee may deal with regular activities of the union that are specific to the unit, provided that its actions are not in conflict with Local Bylaws and the OPSEU Constitution and policies. The Unit committee may make recommendations to the Local Executive Committee on matters requiring a decision of the Local.

The duties of the Unit Committee shall be to police all collective agreements, to be responsible for Unit negotiations, and to act as a channel of communications between the members and the Local Executive Committee.

11.3 The Local vice-president from the unit shall have the authority to call meetings of the Unit Membership and the Unit Committee. In the absence of the Unit vice-president, the Unit Recording Secretary shall call such meetings.

11.4 Resolutions of Unit Membership meetings which affect the policy of the Local as a whole shall be subject to the approval of the Local Executive Committee (or the Local as a whole, as appropriate).

11.5 Grievance Committee for each Bargaining Unit:

There shall be a Grievance Committee for each bargaining unit which shall have responsibility for unit specific grievances. The Grievance Committee shall consist of the Local vice-president from that unit, and a minimum of 3 and a maximum of 6 additional members of the Executive from that Unit as elected by all the members of the Executive from that Unit. The Chair of each Grievance Committee is responsible for coordinating the work of the committee and shall be selected by the members of the Grievance Committee on the basis of who among them is the most experienced and/or trained in dealing with grievances. All members of grievance committees must be trained and/or take training as soon as possible to deal with grievances and must respect the principles of confidentiality agreed by the Unit as policy for members of grievance committees.

ARTICLE 13 - APPOINTMENT OF COMMITTEES

13.1 Standing Committees may only be established or abolished by a two-thirds majority vote at a Union Local General Meeting, following at least one week's notice of motion, except where OPSEU policy provides otherwise. As provided in the OPSEU policy (Section 19-4) union members on joint occupational health and safety committees shall be appointed by, and accountable to, the Local Executive

Committee.

13.2 The Chairperson or a co-chair of each standing committee shall be chosen from among the membership of the Executive. Committee members will be selected by the Executive, subject to ratification at the first, subsequent, Union Local General Meeting.

13.3 The Chairperson of each standing committee, or his/her designate, shall report to the general membership on activities of the committee at least once a year at an appropriate Union Local General Meeting, and as regularly requested by the Executive Committee.

13.4 *Ad hoc* committees may be established or abolished at any Executive or Unit or General Meeting of the Union Local by a majority vote.

ARTICLE 14 - MEETINGS

14.1 Regular general meetings of the Union Local shall be held at least once in each of the fall and winter semesters. Normally at least one week's notice in writing of all meetings shall be given to members of the Union Local or Bargaining Units. An adequate but shorter notice in writing may be necessary in cases of emergency meetings.

14.2 Special meetings of the Union Local shall be held at the call of the Local President and/or Executive Committee, or on the written request of at least 10 per cent of the membership. Special meetings of the Executive Committee shall be held at the call of the Local President or a majority of the Executive Committee. Special meetings of a bargaining unit shall be held at the call of the Unit Vice-President and/or Unit Committee, or on the written request of at least 10 per cent of the membership.

14.3 The Local President or Unit Vice-President must call a meeting of the Union Local or Bargaining Unit within one week of the receipt of a written request of ten per cent of the members of the Union Local or Bargaining Unit as appropriate.

14.4 No Collective Agreement or Merger shall be executed on behalf of the Union and its Local unless the terms thereof have been ratified by the members of the affected bargaining unit.

14.5 At Local General Membership Meetings in which members of more than one bargaining unit are in attendance bargaining unit members shall not vote on by-Law changes or motions that only affect another bargaining unit.

ARTICLE 15 - VOTING

15.1 The Chairperson of a meeting of the Executive Committee shall have a regular vote. In the case of a tie vote, the motion shall be held to fail and the *status quo* shall prevail.

15.2 The Chairperson of a General Meeting of the Union Local or Unit may vote on any question. In case of a tie vote, the Chairperson shall cast the deciding vote.

15.3 In all matters not covered by these By-Laws, Robert's Rules of Order, most recent edition, shall apply.

15.4 Annual budgets of the Local will be determined by a duly constituted Union Local meeting. The budget shall be proposed by the Local Executive, with notice of the budget circulated to the members of the Union Local in writing at least 14 days before the meeting. The Local Executive Committee proposal

and recommendation to the Local Membership of the budget requires that a majority of Local Executive Committee Members in each bargaining unit present in a Local Executive Committee Meeting vote in favour of proposing and recommending the budget to the Local Membership. A majority of those eligible to vote in each bargaining unit in the Local who are present at the Local general meeting shall be sufficient to approve the annual Local budget. There shall be separate line items for bargaining units in the budget. Whenever there are opportunities for two or more representatives of the Local to attend OPSEU or CAUT meetings (e.g. educationals, conventions, councils, forums, workshops etc) the Local shall budget to send at least one member from each bargaining unit. For the CAUT Council meetings the Bargaining Units shall take turns sending the representative.

ARTICLE 16 - FISCAL YEAR

16.1 The fiscal year of the Union Local shall be the calendar year.

Passed by the Local Membership on June 24, 2009; amended by the Local Membership on March 10, 2010, and further amended as a result of a review by the OPSEU President's constitutional advisor on March 30, 2010. Final approval granted by the OPSEU President on December 15, 2010. Amended further by the Local Membership on March 31, 2011 and December 14, 2011; As amended further by the Local Membership on December 9, 2015.